

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION – CINCINNATI

DEVIN MORGAN,	:	Case No. 1:20-cv-768
	:	
Plaintiff,	:	Judge Matthew W. McFarland
	:	
v.	:	
	:	
DEBT RECOVERY SOLUTIONS, LLC,	:	
	:	
Defendant.	:	

ORDER AND OPINION

This matter is before the Court on Plaintiff’s Counsel’s Motion to Reopen Case (Doc. 9). On September 22, 2021, Plaintiff, by and through his counsel, filed a Notice of Settlement (Doc. 6), which informed the Court that the parties had settled the case. Plaintiff also informed the Court that Plaintiff “anticipat[ed] filing a Voluntary Dismissal with Prejudice” within sixty days. (Notice of Settlement, Doc. 6, Pg. ID 27.) Then, on November 3, 2021, over forty days after Plaintiff filed the Notice, the Court entered a Conditional Order of Dismissal (Doc. 8). The Conditional Order of Dismissal stated that the action was dismissed with prejudice but that the parties may, “upon good cause shown within forty-five (45) days, move to reopen the action if settlement is not consummated.” (Conditional Order of Dismissal, Doc. 8, Pg. ID 29.)

Over three months after this Court entered the Conditional Order of Dismissal, and almost five months after informing the Court of the settlement, counsel for Plaintiff

now requests that this Court reopen the case “to allow Plaintiff’s counsel to file a motion to withdraw as counsel.” (Motion to Reopen Case, Doc. 9, Pg. ID 31.) Counsel seems to inform the Court that the settlement agreement is not yet consummated due to a “breakdown” in Plaintiff and counsel’s relationship. (*Id.*) However, the deadline outlined in the Conditional Order of Dismissal has long passed, and Plaintiff’s counsel fails to establish good cause for why this case should be reopened.

Therefore, in consideration of Plaintiff’s counsel’s untimely request and his failure to establish good cause, the Motion to Reopen Case (Doc. 9) is **DENIED**.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

By: 
JUDGE MATTHEW W. McFARLAND